



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We make Indiana a cleaner, healthier place to live.

Frank O'Bannon
Governor

Lori F. Kaplan
Commissioner

August 12, 2003

100 North Senate Avenue
P.O. Box 6015
Indianapolis, Indiana 46206-6015
(317) 232-8603
(800) 451-6027
www.in.gov/idem

TO: Interested Parties / Applicant

RE: MasterSpas, Inc. / 003-14550-00249

FROM: Paul Dubenetzky
Chief, Permits Branch
Office of Air Quality

Notice of Decision – Approval

Please be advised that on behalf of the Commissioner of the Department of Environmental Management, I have issued a decision regarding the enclosed matter. Pursuant to 326 IAC 2, this approval was effective immediately upon submittal of the application.

If you wish to challenge this decision, IC 4-21.5-3-7 requires that you file a petition for administrative review. This petition may include a request for stay of effectiveness and must be submitted to the Office of Environmental Adjudication, ISTA Building, 150 W. Market Street, Suite 618, Indianapolis, IN 46204, **within eighteen (18) calendar days from the mailing of this notice**. The filing of a petition for administrative review is complete on the earliest of the following dates that apply to the filing:

- (1) the date the document is delivered to the Office of Environmental Adjudication (OEA);
- (2) the date of the postmark on the envelope containing the document, if the document is mailed to OEA by U.S. mail; or
- (3) The date on which the document is deposited with a private carrier, as shown by receipt issued by the carrier, if the document is sent to the OEA by private carrier.

The petition must include facts demonstrating that you are either the applicant, a person aggrieved or adversely affected by the decision or otherwise entitled to review by law. Please identify the permit, decision, or other order for which you seek review by permit number, name of the applicant, location, date of this notice and all of the following:

- (1) the name and address of the person making the request;
- (2) the interest of the person making the request;
- (3) identification of any persons represented by the person making the request;
- (4) the reasons, with particularity, for the request;
- (5) the issues, with particularity, proposed for considerations at any hearing; and
- (6) identification of the terms and conditions which, in the judgment of the person making the request, would be appropriate in the case in question to satisfy the requirements of the law governing documents of the type issued by the Commissioner.

If you have technical questions regarding the enclosed documents, please contact the Office of Air Quality, Permits Branch at (317) 233-0178. Callers from within Indiana may call toll-free at 1-800-451-6027, ext. 3-0178.

Enclosures
FNPER-AM.dot 8/11/03



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Mr. Terry Valmassoi
MasterSpas, Inc.
6927 Lincoln Parkway
Fort Wayne, Indiana 46804

Re: 003-14550-00249
Second Administrative Amendment to
Part 70 Operation Permit No.: 003-9073-00249

Dear Mr. Valmassoi:

MasterSpas, Inc. was issued a Part 70 operating permit (003-9073-00249) on May 16, 2001, for a stationary fiberglass reinforced plastic spas manufacturing facility. MasterSpas petitioned for review of the permit on June 14, 2001. This petition was filed in the Office of Environmental Adjudication under Cause Number 01-A-J-2734. This administrative amendment shows the changes made to the permit in order to settle issues raised by the petition for review.

The amendment consists of a change to the quarterly deviation and compliance monitoring report. All other conditions of the permit shall remain unchanged and in effect. Please attach a copy of this modification and the following revised quarterly deviation and compliance monitoring report to the front of the original permit.

This decision is subject to the Indiana Administrative Orders and Procedures Act - IC 4-21.5-3-5. If you have any questions on this matter, please contact Mark Derf, OAQ, 100 North Senate Avenue, P.O. Box 6015, Indianapolis, Indiana, 46206-6015, or call at (800) 451-6027, press 0 and ask for Mark Derf or extension (3-6870), or dial (317) 233-6870.

Sincerely,

Paul Dubenetzky, Chief
Permits Branch
Office of Air Quality

Attachments
PD/mad

cc: File - Allen County
U.S. EPA, Region V
Allen County Health Department
Air Compliance Section Inspector – Jennifer Dorn
Compliance Data Section - Karen Nowak
Administrative and Development
Technical Support and Modeling - Michele Boner
Office of Legal Counsel – Janice Lengel



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**PART 70 OPERATING PERMIT
ADMINISTRATIVE AMENDMENT
OFFICE OF AIR QUALITY**

**MasterSpas, Inc.
6927 Lincoln Parkway
Fort Wayne, Indiana 46804**

(herein known as the Permittee) is hereby authorized to operate subject to the conditions contained herein, the source described in Section A (Source Summary) of this permit.

This permit is issued in accordance with 326 IAC 2 and 40 CFR Part 70 Appendix A and contains the conditions and provisions specified in 326 IAC 2-7 as required by 42 U.S.C. 7401, et. seq. (Clean Air Act as amended by the 1990 Clean Air Act Amendments), 40 CFR Part 70.6, IC 13-15 and IC 13-17.

Operation Permit No.: T 003-9073-00249	
Issued by: Janet G. McCabe, Assistant Commissioner Office of Air Quality Original signed by Janet McCabe	Issuance Date: May 16, 2001 Expiration Date: May 16, 2006

First Administrative Amendment: 003- 14567 issued on July 31, 2001

Second Administrative Amendment: 003- 14550 - 000249	Pages Affected: 37
Issued by: Original Signed By Paul Dubenetzky, Branch Chief Office of Air Quality	Issuance Date: August 12, 2003 Expiration Date: May 16, 2006

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY
COMPLIANCE DATA SECTION**

**PART 70 OPERATING PERMIT
QUARTERLY DEVIATION AND COMPLIANCE MONITORING REPORT**

Source Name: MasterSpas, Inc.
Source Address: 6927 Lincoln Parkway, Fort Wayne, Indiana 46804
Mailing Address: 6927 Lincoln Parkway, Fort Wayne, Indiana 46804
Part 70 Permit No.: T 003-9073-00249

Months: _____ to _____ Year: _____

Page 1 of 2

This report shall be submitted quarterly based on a calendar year. Any deviation from the requirements, the date(s) of each deviation, the probable cause of the deviation, and the response steps taken must be reported. Deviations that are required to be reported by an applicable requirement shall be reported according to the schedule stated in the applicable requirement and do not need to be included in this report. Additional pages may be attached if necessary. If no deviations occurred, please specify in the box marked **No deviations occurred this reporting period**.

9 NO DEVIATIONS OCCURRED THIS REPORTING PERIOD.

9 THE FOLLOWING DEVIATIONS OCCURRED THIS REPORTING PERIOD

Permit Requirement (specify permit condition #)

Date of Deviation:

Duration of Deviation:

Number of Deviations:

Probable Cause of Deviation:

Response Steps Taken:

Permit Requirement (specify permit condition #)

Date of Deviation:

Duration of Deviation:

Number of Deviations:

Probable Cause of Deviation:

Response Steps Taken:

**Indiana Department of Environmental Management
Office of Air Quality**

**Technical Support Document (TSD) for an Administrative Amendment to a
Part 70 Operating Permit**

Source Background and Description

Source Name:	MasterSpas, Inc.
Source Location:	6927 Lincoln Parkway, Fort Wayne, Indiana 46804
County:	Allen
SIC Code:	3083
Operation Permit No.:	T 003-9073-00249
Operation Permit Issuance Date:	May 16, 2001
Permit Modification No.:	003-14550-00249
Permit Reviewer:	Mark A. Derf

The Office of Air Quality (OAQ) has reviewed petitions for review for MasterSpas, Inc. relating to a stationary fiberglass reinforced plastic spas manufacturing facility.

History

MasterSpas, Inc. was issued a Part 70 operating permit (T003-9073-00249) on May 16, 2001. MasterSpas petitioned for review of the Part 70 operating permit on June 14, 2001. This petition was filed in the Office of Environmental Adjudication under Cause Number 01-A-J-2734. This permit modification shows the changes made to the Part 70 operating permit in order to settle issues raised by the petition for review. An administrative amendment has been drafted due to the fact that no changes in the permit were made in the permit, only the deletion of a sentence in the quarterly deviation and compliance monitoring reporting form.

The appeal requests follow with the deleted language in the permit appearing as ~~strikeouts~~, and the new or revised language appearing underlined in the responses.

Appeal Item 1: [Part 70 operating permit appeal, Cause No. 01-A-J-2734]

The Petitioner objects to condition B.11(d) (Preventive Maintenance Plan). The Petitioner states the condition should be revised to specifically state that the records to be retained are those records required by the Preventive Maintenance Plan and not all preventive maintenance records. The Petitioner believes the condition is overly broad, overly burdensome and unnecessary. The Petitioner states the permit language should be revised to indicate only records associated with the preventive maintenance plan requirements to demonstrate compliance with the emission limitations should be required to be kept.

Response 1:

IDEM OAQ is unable to grant the requested changes to the preventive maintenance plan language in condition B.11(d). The requirements in Section B.11(d) are applicable if specifically

required in Section D. Section D.1 requires a Preventive Maintenance Plan for the facilities and any control devices. No change in the permit is required as a result of this petition for review.

Appeal Item 2: [Part 70 operating permit appeal, Cause No. 01-A-J-2734]

The Petitioner objects to condition B.15(a) and (b), C.19(a), the Table of Contents of the Permit and the reporting form on Page 36 of the permit. The Petitioner states the language should be revised to remove "and Compliance Monitoring" from the title of the "Quarterly Deviation and Compliance Monitoring Report" and to delete the incorrect first sentence on the report form stating that "this report is an affirmation that the source has met all the requirements stated in this permit" where only deviations are required to be reported by the report required by Condition B.15 and C.19. The Petitioner believes the title is confusing because it would lead the permittee to believe it is to also report the compliance status with the Compliance Monitoring Requirements. The Petitioner believes it contradicts condition B.15. The Petitioner believes references to Compliance Monitoring should be deleted from the condition B.15(a) and (b), C.19(a), the Table of Contents of the Permit and the reporting form on Page 36 of the permit.

Response 2:

IDEM OAQ is unable to grant the requested changes to remove the references to Compliance Monitoring language in condition B.15(a) and (b), C.19(a) and the title of the Quarterly Deviation and Compliance Monitoring Report. The title of the Quarterly Deviation and Compliance Monitoring Report can not be changed because 326 IAC 2-7-5(3)(C) requires any compliance monitoring to be reported at least every six (6) months. Therefore, no changes to Conditions B.15(a) and (b), C.19(a) and the title of the Quarterly Deviation and Compliance Monitoring Report will be made. IDEM OAQ has deleted the first sentence of the reporting form of this permit since the form is requesting the documentation of all deviations. The change in the Quarterly Deviation and Compliance Monitoring Report paragraph has been made as follows:

~~This report is an affirmation that the source has met all the requirements stated in this permit.~~ This report shall be submitted quarterly based on a calendar year. Any deviation from the requirements, the date(s) of each deviation, the probable cause of the deviation, and the response steps taken must be reported. Deviations that are required to be reported by an applicable requirement shall be reported according to the schedule stated in the applicable requirement and do not need to be included in this report. Additional pages may be attached if necessary. If no deviations occurred, please specify in the box marked "No

NO DEVIATIONS OCCURRED THIS REPORTING PERIOD.

THE FOLLOWING DEVIATIONS OCCURRED THIS REPORTING PERIOD

Existing Approvals

The source was issued a Part 70 Operating Permit T003-9073-00249 on May 16, 2001. The source has since received the following:

- (1) First Administrative Amendment No.: 003-14567-00249 issued on July 31, 2001.

Enforcement Issue

There are no enforcement actions pending.

Recommendation

The staff recommends to the Commissioner that the Administrative Amendment as the resolution to the appeals be approved.

Conclusion

This permit modification shall be subject to the conditions of the attached permit 003-14550-00249.